

REMARKS

Claims 1 through 20 are currently pending in the application. Claims 1, 2, 5-7 have been amended. Applicant respectfully requests reconsideration of the application as amended herein.

While the claims as presently amended are before the Examiner in the form of a Preliminary Amendment in response to a Request for Continued Examination and are therefore not presently rejected, Applicant addresses the presently amended claims in view of the prior art cited in the Final Office Action.

35 U.S.C. § 102(e) Anticipation Rejections

Anticipation Rejection Based on U.S. Patent No. 6,321,242 to Fogg et al.

Claims 1 through 3, and 6 through 20 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Fogg et al. (U.S. Patent No. 6,321,242). Applicant respectfully traverses this rejection, as hereinafter set forth.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Applicant submits that the Fogg reference does not and cannot anticipate under 35 U.S.C. § 102(e) the presently claimed invention of independent claims 1, 8, and 16, and claims depending therefrom, because the Fogg reference does not describe, either expressly or inherently, the identical inventions in as complete detail as are contained in the claims. More specifically, Applicant submits that the Fogg reference does not describe, either expressly or inherently, the elements of the claimed inventions of independent claims 1, 8, and 16, namely:

1. A method for preserving hyperlinks, comprising:
inviting a remote computer including *a hyperlink stored thereon to register said hyperlink* with a host computer hosting a data file associated with said hyperlink; and
 when said remote computer accepts an invitation to register,
registering said hyperlink stored on said remote computer with said host computer hosting said data file associated with said hyperlink; and
notifying said remote computer *of a change* in said data file associated with said hyperlink. (Emphasis added.)

8. A method for preserving Internet or intranet communications, comprising:
 storing at a network server a hyperlink for linking to at least one data file stored on a host server;
inviting said network computer including *said hyperlink stored thereon to register said hyperlink* with said host server hosting said at least one data file associated with said hyperlink; and
 when said network computer accepts an invitation to register,
registering said hyperlink with said host server; and
notifying a party responsible *for maintenance of said hyperlink of any changes* in said at least one data file that affect the integrity of said hyperlink. (Emphasis added.)

16. A registration and notification system for preserving the integrity of hyperlinks, comprising:
 a host server;
 at least one data file accessible to said host server;
 at least one remote server;
 at least one hyperlink stored on said at least one remote server, said at least one hyperlink associated with said at least one data file, said host server further configured *to invite* said at least one remote server said at least one remote server including *said at least one hyper link stored thereon to register said at least one hyperlink* with said host server hosting said at least one data file associated with said at least one hyperlink; and
 a user database stored on said host server *for identifying said at least one hyperlink* associated with said at least one data file when said at least one remote server accepts an invitation to register. (Emphasis added.)

Generally, Applicant's invention as presently claimed is drawn to methods and system to invite to register to be notified of changes. In contrast, the Fogg reference discloses a method and system of compulsory inclusion and an invitation to update.

The Advisory Action stated that the request for reconsideration was considered but does not place the application in condition for allowance because:

The Applicant continues to argue that Fogg does not teach the limitations of the claim. The Examiner maintains the views previously put forth in the Final Rejection mailed 15 July 2005. The Applicant argues that Fogg does not teach or suggest notifying said first computer of a change in said data file associated with said hyperlink. Fogg discloses: "FIG. 5 is an exemplary flow chart describing the steps required for the feeding site to receive and process a re-link message. The feeding site receives a re-link message (500) periodically or as they are received and presents them for consideration by the webmaster. The feeding site determines from the message if the content of the relocated document has changed (510)." (column 5, lines 43-49). Therefore, Fogg does disclose this particular limitation. Fogg discloses the limitations of claims 1-3 and 6-20, therefore, the claims are not in condition for allowance. (Advisory Action, p. 2; emphasis added).

For comparison purposes, Applicant substitutes in the a citation from the Fogg reference, Applicant's corresponding identity of a "remote computer" in lieu of Fogg's "feeding site" and Applicant's "host computer" in lieu of Fogg's "receiving site."

Accordingly, a citation from the Fogg reference would then read:

As users request documents on a receiving site [host computer] (190), the receiving [host computer] site re-linker 184 ***builds a database (182) of feeder [remote] documents (188)***. A feeder [remote] document is one which contains a hypertext link to a document on another server (receiving site). The process of building the database of feeder [remote] documents is described in conjunction with FIG. 3. When the receiver [host computer] webmaster changes the uniform resource locator (URL) of a document(s) (210) the receiver [host computer] re-linker generates an re-link message which is sent to all sites containing feeder [remote] pages (220) contained in the database. (Fogg, col. 4, lines 39-49; emphasis added).

As described by the Fogg reference, the formation of Fogg's "data file" is compulsory, rather than Applicant's approach of invitation.

Fogg continues,

FIG. 3A is an exemplary flow chart describing ***the processes required to determine the URL of the feeder [remote] document and add it to the receiving [host] site database (182)***. When a user (100) requests a document from a receiving [host] site (300) by clicking on a hypertext link (197), the user's client software sends a request message to the receiving site's [host's] server (190). In one embodiment of the invention, this message is sent using the hypertext transfer protocol (HTTP) GET request. The HTTP GET request, in this case, contains a referred field that includes the URL of the document which contains the link to the receiving [host] site. (Fogg, col. 4, line 59 through col. 5, lines 2; emphasis added).

Using this information *the receiving [host] site parses the URL in the referrer field from the URL of the requested page (310)*. The re-linking software [in the host computer] *checks the receiving [host] site database to see if the feeder [remote] URL and corresponding receiver [host] URL data already exists (320)*. *If the data is already in the database the receiver re-linker does nothing (330)*. *If the data is not in the database the receiver re-linker appends it (340)*. (Fogg, col. 5, lines 9-15).

Again, the Fogg reference continues to disclose compulsory inclusion in the formation of the “data file” rather than Applicant’s approach of invitation.

Fogg continues,

When a receiver [host] webmaster moves a document (400), the old URL is used to query the receiving [host] site database (410) to obtain a list of URL’s of documents (feeder [remote] URLs) which point to the old URL. A new message or software action is generated for each feeder [remote] URL found (420). (Fogg, col. 5, lines 22-27).

FIG. 5 is an exemplary flow chart describing the steps required for the feeding [remote] site to receive and process a re-link message. The feeding [remote] site receives a re-link message (500) periodically or as they are received and presents them for consideration by the webmaster. The feeding [remote] site determines from the message if the content of the relocated document has changed (510). (Advisory Action, p. 2, original cite at Fogg, col. 5, lines 43-49).

Applicant maintains that the Fogg reference forms a “data file” through a compulsory inclusion manner rather than by invitation, as claimed in Applicant’s claims. Applicant further maintains the position that Applicant’s invention as presently claimed is drawn to methods and system *to invite to register to be notified of changes to a data file pointed to by a hyperlink*, which is not disclosed in the Fogg reference. The Fogg reference discloses a method and system of compulsory inclusion and a request permission to modify or update a data file on the feeding site.

Applicant respectfully submits that the Fogg reference does not describe “inviting ... to register” or an “*invitation ... to register ... to be notified*” but rather “*asks permission to automatically update feeding site documents*”. Applicant submits that such a configuration as described by the Fogg reference, does not and cannot anticipate under 35 U.S.C. § 102 the presently claimed elements of the inventions of independent claims 1, 8, and 16.

Therefore, independent claims 1, 8, and 16 are not anticipated by the Fogg reference under 35 U.S.C. § 102. Accordingly, such claims are allowable over the cited prior art. Furthermore, dependent claims 2, 3, 6, 7, 9-15, and 17-20 are also allowable as depending from their respective independent claims.

35 U.S.C. § 103(a) Obviousness Rejections

Obviousness Rejection Based on U.S. Patent No. 6,321,242 to Fogg et al.

Claims 4 and 5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Fogg et al. (U.S. Patent No. 6,321,242). Applicant respectfully traverses this rejection, as hereinafter set forth.

M.P.E.P. 706.02(j) sets forth the standard for a Section 103(a) rejection:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, **the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (Emphasis added).

The 35 U.S.C. § 103(a) obviousness rejections of claims 4 and 5 are improper because the elements for a *prima facie* case of obviousness are not met. Specifically, the rejection fails to meet the criterion that the prior art reference must each or suggest all the claim limitations.

Regarding claims 4 and 5, which depend indirectly from independent claim 1, Applicant sustains the above-proffered arguments that Fogg does not teach, disclose or motivate Applicant's invention as claimed in independent claim 1. The Office Action alleges:

Regarding claim 4, Fogg discloses the method of claim 2.

Fogg does not expressly disclose further comprising saving said e-mail address identification in a user database, however, Fogg does disclose wherein the email address is saved in a user database on the first computer ("webmaster information file") and the second computer retrieves the email address (column 6, lines 19-30).

Regarding claim 5, Fogg discloses the method of claim 2, further comprising: saving said data file identification in a user database accessible to said second

computer ("re-linker database"). (column 5, line 59-column 6, line 20, specifically column 5, lines 14-15). (Office Action, pp. 11-12)

Even assuming arguendo, that the Fogg reference teaches, regarding claims 4 and 5, as alleged, Fogg does not teach or suggest *formation of a database through invitation*, as claimed by Applicant, wherein the network servers are able to opt into a notification service *rather than* be potentially annoyed by the *mandatory notification* of Fogg.

Therefore, Applicant respectfully requests that the rejection of dependent claims 4 and 5 be withdrawn.

CONCLUSION

Claims 1-20 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, he is respectfully invited to contact Applicant's undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'K. Johanson', with a long horizontal flourish extending to the right.

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